

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JUSTIN LEWIS,

Plaintiff,

v.

SOUTHWEST AIRLINES CO.,

Defendant.

Case No. [16-cv-00749-JCS](#)

**ORDER DENYING PLAINTIFF'S  
MOTION TO REMAND**

Re: Dkt. No. 19

On June 7, 2016, Plaintiff Justin Lewis filed a Motion, dkt. 19, requesting that the Court vacate its venue transfer order, dkt. 18, and remand the case to California Superior Court, County of Alameda. Lewis argues that he lacks Article III standing under the Supreme Court's recent decision in *Spokeo, Inc. v. Robbins*, 136 S. Ct. 1540 (2016), and the case must be remanded to state court. Mot. at 3–6. Because the standing issue that Lewis raises is not straightforward, the Court was not required to determine that jurisdictional issue before properly transferring the case to the Northern District of Texas. *S.F. Tech., Inc. v. Adobe Sys. Inc., et al.*, Nos. CV 10-01652 RS, C 09-6083 RS, 2010 WL 1640397, at \*2–3 (N.D. Cal. Apr. 19, 2010) (citing *Sinochem Int'l Co. v. Malaysia Int'l Shipping Corp.*, 549 U.S. 422, 431–432 (2007); *In re: LimitNone, LLC*, 551 F.3d 572, 577 (7th Cir. 2008); *Pub. Emps.' Ret. Sys. of Miss. v. Morgan Stanley*, 605 F. Supp. 2d 1073 (C.D. Cal. 2009)). Lewis's Motion is therefore DENIED and the hearing scheduled for August 12, 2016, is vacated.

**IT IS SO ORDERED.**

Dated: June 8, 2016

  
JOSEPH C. SPERO  
United States Magistrate Judge